

# WAIVER OF LIABILITY REGARDING AGRICULTURE BUILDINGS WITHIN THE UNINCORPORATED AREAS OF KANE COUNTY

## RECITALS

WHEREAS, Kane County supports and encourages the continuation of tradition farming and ranching in the County;

WHEREAS, the Kane County Building Department is committed to providing services to assure the safety, well-being, and welfare of those who use buildings and other structures within Kane County;

WHEREAS, the State of Utah has exempted certain structures used solely in conjunction with agriculture use from permit requirements in Utah Code, Section 58-56-4(5)(a)(b);

WHEREAS, Kane County is willing to allow a builder of an agricultural-use structure to participate in the entire building permit and inspection process, at the owner's request;

WHEREAS, Kane County believes that, in light of the exemption found in the Utah Code, a builder of an agricultural-use structure who does not participate in the building permit and inspection process should acknowledge the potential consequences of his/her actions and agree to hold harmless Kane County and its employees from any potential liability with respect to the agricultural-use building and the property on which it is erected.

THEREFORE, Kane County intends to cause any builder of an agricultural-use structure, who does not wish to participate in the building permit and inspection process to complete this form and agree to the terms herein.

## AGREEMENT

By signing this document, I understand some utility companies do not render services without the approval of the Kane County Building Inspector. Therefore, I understand should I desire to have utilities such as electricity, gas, phone, sewer, etc. I must participate in every inspection discipline for the entire building and that the building cannot be utilized for "human occupancy".

I, \_\_\_\_\_, hereby choose **not** to participate in the building permit process and inspections. In conjunction with this decision, I will not hold Kane County or any of its employees liable for any harm to life, limb, or property which may arise due to the result of my lack of participation in assuring codes are adhered to within my property described as follows:

Assessor's Parcel #: \_\_\_\_\_

Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By signing this document, I realize the agriculture buildings built on the property described may or may not meet the codes as adopted by Kane County. Therefore, I release Kane County and its employees from all and any liability issues arising on the property described. However, I understand Kane County will allow me to participate in the entire building permit and inspection process for my agricultural-use structure. I understand that without the assurance of the minimum codes being maintained and the required inspections being completed, witnessed and passed by the Kane County Building Department; these buildings on the described property cannot be used for anything other than agriculture purposes and are "not for human occupancy". By signing this document, I will disclose this information and this document to all future owners of said property.

I understand and agree that this document shall be filled out, signed, notarized, and recorded with the Kane County Recorder.

I understand and agree that my choice not to participate in the building permit and inspection process shall exempt my compliance with the Kane County Land Use Codes.

I understand and agree that the following shall be submitted to the Kane County Building Department for approval prior to starting construction of any agricultural-use structure, including excavation or clearing of vegetation for building purposes:

1. A site plan of the property showing the existing improvements and proposed improvements to the property indicating compliance with the Land Use Codes (Zoning Ordinance, Subdivision Ordinance and General Plan).
2. A completed and recorded copy of this document.

Certificate of Notary

State of UTAH  
County of Kane

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me to be the signer of the foregoing document, and he/she acknowledged that he/she signed it.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_